

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

I. Status of the Claims

Claims 1 and 3 have been amended. The amendments do not add new matter.

Claim 5 has been canceled.

Claim 16 has been added.

Claims 1-4 and 6-16 are pending in this application.

II. Rejections Under 35 U.S.C. § 103(a)

Claims 1, 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable for obviousness over U.S. Patent No. 5,708,256 to Montagnino et al. (hereinafter "Montagnino") in view of either U.S. Patent No. 6,060,698 to Petrides et al. ("Petrides") or U.S. Patent No. 5,938,960 to Lulofs et al. ("Lulofs").

Regarding claims 1, 3 and 4, the Examiner states that Montagnino discloses a controller for a heating pad which uses duty cycle control and includes fast heat-up in a predetermined time. The Examiner admits that Montagnino does not disclose using a counter in the oscillator circuit. However, the Examiner states that both Petrides and Lulofs disclose the use of counters in oscillator duty cycle control to control the temperature of heating coils in cooking appliances, i.e., toasters. The Examiner contends that it would have been obvious to one of ordinary skill in the art to combine Montagnino with Petrides or Lulofs to achieve the claimed invention.

